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- 1 Q. But you didn't ask Ms. Griffith if that is
 2 what she understood that to mean, did you?
 3 MS. MOORE: Objection.
 4 A. Again, the process I was told was to sit
 5 down Ms. Griffith and we were to explain
 6 this to her. She had the opportunity to ask
 7 questions if she didn't understand anything.
 8 That was the purpose of the meeting. I
 9 would have been more than happy to go
 10 through this line by line, word by word
 11 until she was clear. She did not ask any
 12 questions, as I recall. She did not sign
 13 that she agreed with it. She gave me no
 14 indication that she cared. And then she
 15 started on her tangent with other issues
 16 that were not related to this, so I don't
 17 feel it's my responsibility to assume that
 18 she doesn't understand this.
 19 Q. Did you ask her, though, specifically if she
 20 understood those three steps?
 21 MS. MOORE: Objection.
 22 A. I don't recall specifically, but what I
 23 normally do, okay, or how we normally handle
 24 this, you go through it, and then as you're

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- 1 avenues she could take if she had to be --
 2 not come to work, which was FMLA, and we had
 3 disability policies, short-term disability
 4 policies that she could use to cover those
 5 situations.
 6 Q. Directing your attention back to Exhibit
 7 No. 5, Exhibit No. 5 on the corrective
 8 steps, are those the same corrective steps
 9 on Exhibit No. 5 as are on Exhibit No. 6?
 10 A. I will have to compare them one to one.
 11 Q. Sure.
 12 MS. HILL: If I could have this
 13 marked as the next exhibit, please?
 14 (Exhibit 9, Letter dated July 1,
 15 1997, so marked.)
 16 (Exhibit 10, Work Clearance Note,
 17 so marked.)
 18 (Exhibit 11, Lahey Clinic document
 19 dated 1-20-00, so marked.)
 20 Q. Are those two corrective actions the same or
 21 are those two separate meetings?
 22 A. From the best of my ability here, they
 23 appear to be the same.
 24 Q. Now I am handing you what is marked as

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- 1 going through, "Do you understand? Do you
 2 have any questions?" You give people the
 3 opportunity to ask that. "Do you
 4 understand? Do you have any questions?"
 5 Again, we had an HR representative involved
 6 to make sure we were doing things correctly.
 7 I am sure Lisa would have asked the
 8 question, "Do you have any questions? What
 9 don't you understand?" Again, you know,
 10 there was no questions written down here, no
 11 indication that she did not understand, so
 12 my assumption was that she understood it.
 13 Why would she then go on a tangent about how
 14 related to this -- how other issues tied
 15 into this if she didn't understand what we
 16 were telling her? I mean, so --
 17 Q. At this meeting did you discuss with
 18 Ms. Griffith what she should do if she is
 19 ill?
 20 A. I do not recall. I believe the reason why
 21 we had human resources in there is to
 22 explain if she has an illness, she has
 23 options. And again, I'm not a human
 24 resource knowledgeable person. There were

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- 1 Exhibit No. 9. Would you please take a look
 2 at Exhibit No. 9 and read it, if you didn't
 3 see it this morning, please?
 4 (Witness reading over document.)
 5 A. Okay.
 6 Q. Could you identify that document?
 7 A. It looks like, again, Bernadine Griffith/
 8 Request for Accommodation, title of the
 9 document.
 10 Q. What's the date and who's the author and
 11 who's it written to?
 12 MS. MOORE: Objection.
 13 A. The date, July 1, 1997. The author seems to
 14 be Erin M. O'Toole.
 15 Q. Do you know who those two individuals are,
 16 the author and Erin O'Toole?
 17 A. Clarify? You said "two individuals."
 18 Q. Yes, I am sorry. Well, Erin O'Toole, do you
 19 know who she is?
 20 A. I do not know who Erin is.
 21 Q. How about Miss Moynihan?
 22 A. Miss Moynihan was head of human resources or
 23 a human resource person, I can't recall what
 24 capacity, for CGU or CU human resources.

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